

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE		PAGE OF PAGES 1 5		
2. AMENDMENT/MODIFICATION NUMBER PS10		3. EFFECTIVE DATE 2/4/2019		4. REQUISITION/PURCHASE REQUISITION NUMBER EQWPMMA-17-0028		5. PROJECT NUMBER (If applicable)	
6. ISSUED BY OFFICE OF ACQUISITION, CAPITAL CONSTRUCTION BRANCH - NCR 300 7TH & D STREET SW WASHINGTON, DC 20407 USA		CODE WPHBA		7. ADMINISTERED BY (If other than Item 6) GSA, PROPERTY DEVELOPMENT DIVISION, NCR 301 7th STREET, SW ROOM 2002 WASHINGTON, DC 20407		CODE WPC	
8. NAME AND ADDRESS OF CONTRACTOR (Number, street, county, State and ZIP Code) FEI-WINMAR JOINT VENTURE 1818 NEW YORK AVE NE STE 201 WASHINGTON, DC 20002 DUNS: 080697632 Cage Code: 7W8Q9				<input checked="" type="checkbox"/> (X) 9A. AMENDMENT OF SOLICITATION NUMBER <input type="checkbox"/> 9B. DATED (SEE ITEM 11) <input checked="" type="checkbox"/> 10A. MODIFICATION OF CONTRACT/ORDER NUMBER GS-11-P-17-MK-C-0017 <input type="checkbox"/> 10B. DATED (SEE ITEM 13) 6/30/2017			
CODE		FACILITY CODE					

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended. ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or electronic communication which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or electronic communication, provided each letter or electronic communication makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

Modification Obligation Amount: \$11,851.00

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.
IT MODIFIES THE CONTRACT/ORDER NUMBER AS DESCRIBED IN ITEM 14.**

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NUMBER IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 52.243, FAR 43.103(a)
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached

BONNIE ECHOLES Digitally signed by
BONNIE ECHOLES
Date: 2019.02.06
15:54:37 -05'00'

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) EDWIN VILLAS CO-MANAGER		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Bonnie Echoles, Contracting Officer	
15B. CONTRACTOR/OFFEROR (b) (4)	15C. DATE SIGNED 2/6/19	16B. UNITED STATES OF AMERICA SEE ABOVE	16C. DATE SIGNED 02/06/2019
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

Previous edition unusable

STANDARD FORM 30 (REV. 11/2016)
Prescribed by GSA FAR (48 CFR) 53.243

INSTRUCTIONS (Back Page):

Instructions for items other than those that are self-explanatory, are as follows:

- (a) Item 1 (Contract ID Code). Insert the contract type identification code that appears in the title block of the contract being modified.
- (b) Item 3 (Effective date).
- (1) For a solicitation amendment, change order, or administrative change, the effective date shall be the issue date of the amendment, change order, or administrative change.
 - (2) For a supplemental agreement, the effective date shall be the date agreed to by the contracting parties.
 - (3) For a modification issued as an initial or confirming notice of termination for the convenience of the Government, the effective date and the modification number of the confirming notice shall be the same as the effective date and modification number of the initial notice.
 - (4) For a modification converting a termination for default to a termination for the convenience of the Government, the effective date shall be the same as the effective date of the termination for default.
 - (5) For a modification confirming the contracting officer's determination of the amount due in settlement of a contract termination, the effective date shall be the same as the effective date of the initial decision.
- (c) Item 6 (Issued By). Insert the name and address of the issuing office. If applicable, insert the appropriate issuing office code in the code block.
- (d) Item 8 (Name and Address of Contractor). For modifications to a contract or order, enter the contractor's name, address, and code as shown in the original contract or order, unless changed by this or a previous modification.
- (e) Items 9, (Amendment of Solicitation Number - Dated), and 10, (Modification of Contract/Order Number - Dated). Check the appropriate box and in the corresponding blanks insert the number and date of the original solicitation, contract, or order.
- (f) Item 12 (Accounting and Appropriation Data). When appropriate, indicate the impact of the modification on each affected accounting classification by inserting one of the following entries:
- (1) Accounting classification _____
Net increase \$ _____
 - (2) Accounting classification _____
Net decrease \$ _____
- NOTE: If there are changes to multiple accounting classifications that cannot be placed in block 12, insert an asterisk and the words "See continuation sheet".
- (g) Item 13. Check the appropriate box to indicate the type of modification. Insert in the corresponding blank the authority under which the modification is issued. Check whether or not contractor must sign this document. (See FAR 43.103.)
- (h) Item 14 (Description of Amendment/Modification).
- (1) Organize amendments or modifications under the appropriate Uniform Contract Format (UCF) section headings from the applicable solicitation or contract. The UCF table of contents, however, shall not be set forth in this document.
 - (2) Indicate the impact of the modification on the overall total contract price by inserting one of the following entries:
 - (i) Total contract price increased by \$ _____
 - (ii) Total contract price decreased by \$ _____
 - (iii) Total contract price unchanged.
 - (3) State reason for modification.
 - (4) When removing, reinstating, or adding funds, identify the contract items and accounting classifications.
 - (5) When the SF 30 is used to reflect a determination by the contracting officer of the amount due in settlement of a contract terminated for the convenience of the Government, the entry in Item 14 of the modification may be limited to --
 - (i) A reference to the letter determination; and
 - (ii) A statement of the net amount determined to be due in settlement of the contract.
 - (6) Include subject matter or short title of solicitation/contract where feasible.
- (i) Item 16B. The contracting officer's signature is not required on solicitation amendments. The contracting officer's signature is normally affixed last on supplemental agreements.

Description of Amendment/Modification

Contract No. GS-11-P-17-MK-C-0017 Hitchcock Hall, Adaptive Reuse Building 37, St Elizabeths West Campus, SE, Wash., DC

MOD PS10 - Auditorium Seating Change

The contractor's signature in block 15b indicates his agreement to provide all labor, supervision, material, and equipment for the following CLIN as an aggregate ADD to the contract in the amount of (b) (4)

In accordance with FAR 52.243 - Change Clause (Fixed Price), you are hereby authorized to proceed with the following: (Refer to individual CE's, Scope of Work).

CLIN 0020: Auditorium Seating Change ADD: (b) (4)

Contractor shall provide all labor, material and equipment to provide two rows (39 seats) of "removable" version of the R40 type seating in the Auditorium.

Reference: FEI-WINMAR JOINT VENTURE Proposal Dated on 12/21/2018.

All work is to be completed in accordance with all applicable contract requirements, regulations and standards.

Settlement of this change includes all associated costs, direct and indirect, impact and delay.

All terms and conditions remain in full force and effect.

SF30 List of Accounting Strings

Accounting String	Amount Obligated
	\$15,151,840.00
	\$439,816.00
	\$530,393.00
	\$544,843.00

ITEM NO., FORM OR STOCK NUMBER	DESCRIPTION OF ARTICLES OR SERVICES	QUAN-TITY	UNIT OF ISSUE	UNIT PRICE	AMOUNT
0020	<p>Auditorium Seating Change Contractor shall provide all labor, material and equipment to provide two rows (39 seats) of "removable" version of the R40 type seating in the Auditorium.</p> <p>(b) (4)</p> <p>Obligated: (b) (4)</p> <p>PoP: 01/21/2019 - 03/31/2019</p>	1	LS	(b) (4)	(b) (4)



FEI – WINMAR JOINT VENTURE
ST ELIZABETHS HITCHCOCK HALL
BUILDING #37, ADAPTIVE REUSE

Dec 21, 2018

Mr. William H. Potterton
Project Manager/COTR
General Services Administration (GSA)
Room 4128 7th & D Sts, SW
Washington, D.C. 20407

Reference: Contract GS-11-P-17-MK-C-0017; St Elizabeths Hitchcock Hall, Building 37,
Phase II Adaptive Reuse, General Services Administration, Washington, DC

Subject: CE#020, Dated 09-12-2018, "removable" R40 Type Seating - Acceptance of Final
IGE of (b) (4)

Dear Mr. Potterton:

We are forwarding herewith our acceptance/agreement of your Final IGE provided on Sept 25,
2018 via e-mail, in the amount of (b) (4)

Please note: this proposal included a fourteen (14) day time/schedule impact, pending
completion of a schedule analyses. Therefore, FEI-Winmar JV would be agreeable to adding the
previously requested days and associated compensation or to the inclusion of language in the
modification which acknowledges the fact that FEI-Winmar JV reserve the right to address any
time/schedule impacts following a comprehensive schedule analysis at a later date.

Please feel free to contact me at your earliest convenience with any questions at (202) 529-2140.

Sincerely,

(b) (6)

Ben Anderson
Project Manager

CC: David Marshall / Nicole Dent
Ben Anderson / Edwin Villegas

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE		PAGE 1 OF 5 PAGES
2. AMENDMENT/MODIFICATION NUMBER PS08		3. EFFECTIVE DATE 12/18/2018		4. REQUISITION/PURCHASE REQUISITION NUMBER (b) (4)
5. PROJECT NUMBER (If applicable) (b) (4)		6. ISSUED BY CODE WPHBA		7. ADMINISTERED BY (If other than Item 6) CODE WPC
OFFICE OF ACQUISITION, CAPITAL CONSTRUCTION BRANCH - NCR 300 7TH & D STREET SW WASHINGTON, DC 20407 USA		GSA, PROPERTY DEVELOPMENT DIVISION, NCR 301 7th STREET, SW ROOM 2002 WASHINGTON, DC 20407		
8. NAME AND ADDRESS OF CONTRACTOR (Number, street, county, State and ZIP Code) FEI-WINMAR JOINT VENTURE 1818 NEW YORK AVE NE STE 201 WASHINGTON, DC 20002 DUNS: 080697632 Cage Code: 7W8Q9		<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NUMBER <input type="checkbox"/> 9B. DATED (SEE ITEM 11) <input checked="" type="checkbox"/> 10A. MODIFICATION OF CONTRACT/ORDER NUMBER GS-11-P-17-MK-C-0017 <input type="checkbox"/> 10B. DATED (SEE ITEM 13) 6/30/2017		
CODE	FACILITY CODE			

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12. ACCOUNTING AND APPROPRIATION DATA (If required)

Modification Obligation Amount: \$179,375.00

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NUMBER AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NUMBER IN ITEM 10A.
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<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 52.243, FAR 43.103(a)
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached

BONNIE ECHOLES Digitally signed by
BONNIE ECHOLES
Date: 2018.12.26
18:51:36 -05'00'

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) EDWIN C. VILLAS, COORDINATOR		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Bonnie Echoles, Contracting Officer	
15B. CONTRACTOR/OFFEROR (b) (6)	15C. DATE SIGNED 12/26/18	16B. UNITED STATES OF AMERICA SEE ABOVE	16C. DATE SIGNED 12/26/2018
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

Previous edition unusable

STANDARD FORM 30 (REV. 11/2016)
Prescribed by GSA FAR (48 CFR) 53.243

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- (e) Items 9, (Amendment of Solicitation Number - Dated), and 10, (Modification of Contract/Order Number - Dated). Check the appropriate box and in the corresponding blanks insert the number and date of the original solicitation, contract, or order.
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Net increase \$ _____
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 - (iii) Total contract price unchanged.
 - (3) State reason for modification.
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 - (i) A reference to the letter determination; and
 - (ii) A statement of the net amount determined to be due in settlement of the contract.
 - (6) Include subject matter or short title of solicitation/contract where feasible.
- (i) Item 16B. The contracting officer's signature is not required on solicitation amendments. The contracting officer's signature is normally affixed last on supplemental agreements.

Description of Amendment/Modification

Contract GS-11-P-17-MK-C-0017 Hitchcock Hall, Adaptive Reuse Building 37, St Elizabeths West Campus, SE, Wash., DC

MOD PS08 - FINAL Settlement of Hitchcock Hall - Auditorium Seating REA Claim

This BILATERAL AGREEMENT hereby conclusively settles any and all actual claims for request for equitable adjustment relating to Hitchcock Hall - Auditorium Seating as stated in FEI-WINMAR REA dated 08/06/2018.

The contractor's signature in block 15b indicates his agreement to the FINAL SETTLEMENT of the Auditorium Seating Claim as an ADD to the contract in the amount of \$(b) (4)

Reference: FEI Winmar Joint Venture Counter Offer Dated on 11/27/2019.

Completion date for this MOD Scope is 02/15/2019

The extension granted is ONLY applicable for this modification.

All work is to be completed in accordance with all applicable contract requirements, regulations and standards.

Settlement of this change includes all associated costs, direct and indirect, impact and delay.

All terms and conditions remain in full force and effect.

SF30 List of Accounting Strings

Accounting String	Amount Obligated
(b) (4)	\$15,151,840.00
(b) (4)	\$439,816.00
(b) (4)	\$530,393.00
(b) (4)	\$532,992.00

ITEM NO., FORM OR STOCK NUMBER	DESCRIPTION OF ARTICLES OR SERVICES	QUAN- TITY	UNIT OF ISSUE	UNIT PRICE	AMOUNT
0019	<p>FINAL Settlement of Hitchcock Hall - Auditorium Seating REA Claim</p> <p>Contractor and Government agreed to final settle this claim. This BILATERAL AGREEMENT hereby conclusively settles any and all actual claims for request for equitable adjustment relating to Hitchcock Hall - Auditorium Seating as stated in FEI-WINMAR REA dated 080618</p> <p>(b) (4)</p> <p>Obligated: (b) (4)</p> <p>PoP: 01/25/2019 - 02/15/2019</p>	1	LS	(b) (4)	(b) (4)



FEI – WINMAR JOINT VENTURE
ST ELIZABETHS HITCHCOCK HALL
BUILDING #37, ADAPTIVE REUSE

Nov 27, 2018

Ms. Bonnie E. Echoles
Contracting Officer
GSA, Office of Acquisition (WPHBA)
St Elizabeths West Campus Project Office
2701 Martin Luther King Avenue, SE
Building 37A
Washington, DC 20032

Reference: Contract GS-11-P-17-MK-C-0017; St. Elizabeth's Hitchcock Hall, Building 37, Phase II Adaptive Reuse, General Services Administration, Washington, D.C.

Subject: Irwin Auditorium Seating Settlement Counter Offer

Dear Mr. Marshall:

We have considered the government's (b) (4) offer to resolve this matter; however, this amount did not factor in our significant legal bill associated with the overall process. We are willing to accept (b) (4)

Sincerely,

(b) (6)

Keith Forney

CC: William Potterton
Nicole Dent
Ben Anderson
Edwin Villegas



Christine O'Leary - WP-C <christine.oleary@gsa.gov>

Re: Hitchcock / Seating Claim

1 message

Bonnie Echoles - WPH1CB <bonnie.echoles@gsa.gov>

Mon, Dec 3, 2018 at 1:22 PM

To: Keith Forney <Keith@forneyent.com>

Cc: "Edwin Villega Edwin@winmarconstruction.com (Edwin@winmarconstruction.com)"

<Edwin@winmarconstruction.com>, Nicole Dent - WPSA-C <nicole.dent@gsa.gov>, William Potterton III <william.potterton@gsa.gov>, David Marshall - WPC-C <davidw.marshall@gsa.gov>, John Borges - Wpia <john.borges@gsa.gov>, Christine O'Leary <christine.oleary@gsa.gov>

Keith Forney, Co Managing Member

FEI Winmar Joint Venture

1818 New York Avenue NE, Suite 201

Washington, D C 200025

Dear Mr Forney

Reference is made to your Irwin Auditorium Seating Settlement Counter Offer (dated 11/27/18) for the Hitchcock Seating under GSA Contract GS-11-P-17-MK-C-0017, Hitchcock Hall, Adaptive Reuse Building 37, U.S. Department of Homeland Security Consolidation Project at St. Elizabeths West Campus in Washington, DC.

GSA has received your counter-offer of (b) (4); and is in agreement that this amount is a fair and reasonable settlement for the Dispute surrounding the Hitchcock Auditorium Seating located on the St Elizabeths Campus. GSA is preparing the final documentation in the form of a formal contract modification to fully incorporate this settlement into the above referenced contract.

On Tue, Nov 27, 2018 at 3:33 PM Keith Forney <Keith@forneyent.com> wrote:

Bonnie, Here you go.

From: Bonnie Echoles WPH1CB [mailto:bonnie.chole@g a gov]**Sent:** Tuesday, November 27, 2018 1:50 PM**To:** Keith Forney**Cc:** Edwin Villegas Edwin@winmarconstruction.com (Edwin@winmarconstruction.com); Nicole Dent WPSA C; William Potterton III; Ben Anderson; David Marshall WPC C; John Borges Wpia**Subject:** Fwd: Hitchcock / Seating Claim

Keith Forney, Co Managing Member

FEI Winmar Joint Venture

1818 New York Avenue NE, Suite 201

Washington, D.C. 200025

Dear Mr. Forney

Reference is made to your Irwin Auditorium Seating Settlement Counter Offer (dated 11/27/18) for the Hitchcock Seating under GSA Contract GS-11-P-17-MK-C-0017, Hitchcock Hall, Adaptive Reuse Building 37, U.S. Department of Homeland Security Consolidation Project at St. Elizabeths West Campus in Washington, DC.

Your counteroffer states (b) (4) ".

Please specifically state the exact amount of your counteroffer.

This is a requirement of the GSA Budget Division that all amounts to be obligated be stated specifically.

----- Forwarded message -----

From: **Keith Forney** <Keith@forneyent.com>

Date: Tue, Nov 27, 2018 at 12:47 PM

Subject: RE: Hitchcock / Seating Claim

To: David Marshall - WPC-C <davidw.marshall@gsa.gov>, Edwin Villegas <edwin@winmarconstruction.com>

Cc: William Potterton - WPIA <william.potterton@gsa.gov>, Ben Anderson <Ben@forneyent.com>

David, per your request please see the attached counter-offer, let me know if you have any questions.

Keith

From: David Marshall - WPC-C [mailto:davidw.marshall@gsa.gov]

Sent: Wednesday, November 21, 2018 9:04 AM

To: Edwin Villegas; Keith Forney

Cc: William Potterton - WPIA; Ben Anderson

Subject: Hitchcock / Seating Claim

Keith / Edwin

Concerning the counter offer which was made to Bill Potterton for the seating claim, please formally submit your counter offer to Bonnie Echoles.

Thanks,

David

--

David Marshall, CCM

Project Manager

AFG Group

DHS Consolidation at St. Elizabeths West Campus

2701 Martin Luther King Ave SE

Washington, DC 20032

(202) 219-3312 (Office)

--

David Marshall, CCM

Project Manager

AFG Group

DHS Consolidation at St. Elizabeths West Campus

2701 Martin Luther King Ave SE

Washington, DC 20032

(202) 219-3312 (Office)

--

Bonnie E. Echoles, Contracting Officer

GSA, Office of Acquisition (WPHBA)

St Elizabeths West Campus Project Office

2701 Martin Luther King Avenue, SE

Building 37A

Washington, DC 20032

Desk: 202.561.7821

Cell No.: 202.441.2912

Bonnie E. Echoles, Contracting Officer
GSA, Office of Acquisition (WPHBA)
St Elizabeths West Campus Project Office
2701 Martin Luther King Avenue, SE

12/6/2018

GSA.gov Mail - Re: Hitchcock / Seating Claim

Building 37A
Washington, DC 20032
Desk: 202.561.7821
Cell No.: 202.441.2912



Irwin Auditorium Seating Settlement Counter-Offer.pdf

172K